

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

UNITED STATES OF AMERICA

V.

Alfredo Guerrero  
A091 292 560  
Mexico

PRINCIPAL  
YOB: 1964

United States District Court  
Southern District of Texas  
FILED

OCT 07 2014

## CRIMINAL COMPLAINT

Case Number:

M-14- 1951 -M

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 5, 2014 in Brooks County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Elmer Roca Rivera-Guinac, citizen of Guatemala, and Jose Ines Esquivel-Rivas, citizen of El Salvador, along with one (1) other undocumented aliens, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Edinburg, Texas to the point of arrest near Encino, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On October 5, 2014, DPS Trooper Hogue performed a vehicle stop on a Ford Focus 3 miles west of Highway 281 on FM 755. The driver, later identified as Alfredo Guerrero, failed to make a complete stop at the stop sign on FM 755. Trooper Hogue gained consent to search the trunk of the vehicle and found 3 subjects inside without identification. Trooper Hogue requested assistance from Border Patrol, and agents performed an immigration inspection. All 4 subjects in the vehicle were found to be illegally in the United States. All 4 subjects were transported to the Falfurrias Border Patrol Station for processing.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by  
Joseph Hernandez

  
Signature of Complainant

Sworn to before me and subscribed in my presence,

Derek Conrow Senior Patrol Agent  
Printed Name of Complainant

October 7, 2014

at McAllen, Texas

Date

City and State

Dorina Ramos U. S. Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14- 1951 -M**

**RE: Alfredo Guerrero**

**A091 292 560**

**CONTINUATION:**

**PRINCIPAL'S STATEMENT:**

Alfredo GUERRERO was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

GUERRERO told agents a friend he has known for 3 months offered him an opportunity to make money transporting illegal aliens through the Falfurrias Checkpoint. He agreed, and his friend told him to meet him at the Loves Truck Stop in Edinburg, Texas. There, his friend had the 3 illegal aliens already in the trunk of the Ford Focus. He stated he would be paid \$200 (USD) per person he successfully smuggled north. At some point he became scared and decided not to go through with it, and that is when he was stopped by DPS.

**NOTE:** GUERRERO has been the principal of 2 prior Administrative Smuggling Cases, and has been prosecuted for a third. He received 20 months BOP and 3 years SRT for the third event.

**MATERIAL WITNESSES' STATEMENTS:**

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Elmer Rocaél Rivera-Guinac told agents he is a citizen of Guatemala. He illegally crossed the Rio Grande River and stayed with a friend for approximately 1 month. He was then picked up by a smuggler and transported to the gas station where he was transferred into the trunk of the car he was arrested in. The smuggler who drove him there, told him to enter the trunk, but the driver was standing next to the car staring at him. He and the others entered the trunk, the vehicle departed, and was stopped shortly after. The man driving the vehicle was the same man he saw staring at him at the gas station. Rivera identified GUERRERO in a photo lineup as the man at the gas station and the driver of the vehicle he was arrested in.

2- Jose Ines Esquivel-Rivas told agents he is a citizen of El Salvador. He illegally crossed the Rio Grande River and was transported to some apartments. He stayed there for approximately 4 days and was then transported to a gas station. He was then transferred into the trunk of an awaiting vehicle. He stated he saw the driver's face before entering the trunk. It was the same person who was driving when the police stopped the vehicle he was arrested in. Esquivel identified GUERRERO in a photo lineup as the driver of the vehicle he was in.